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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Altomare *et al.*

Confirmation No. 9091

Application No.: 09/397,704

Group Art Unit: 2164

Filed: September 16, 1999

Examiner: Akers, G.

For: SYSTEM AND METHOD FOR
ADMINISTERING PRINCIPAL
PROTECTED EQUITY LINKED
FINANCIAL INSTRUMENTS

Attorney Docket No.: 6925-196

RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, D.C. 20231

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Technology Center 2100

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GROUP 3600

In response to the Office Action mailed December 13, 2002, applicants submit the following remarks.

REMARKS

In paragraphs 4-19 of the Office Action, the Examiner rejects claims 1-2, 4, 6-12, 14, 15, 25, 26, 28-36, 38-44 as obvious under 35 U.S.C. § 103(a) over U.S. Patent No. 5,802,501 to Graff ("Graff") in view of U.S. Patent No. 5,812,987 to Luskin *et al.* ("Luskin"), CIBC World Markets ("CIBC"), The Canadian Jewish News (2/11/99) ("CJN"), Satyajit, "Structured Notes and Derivative Embedded Securities" (1/96) ("Satyajit"), and U.S. Patent No. 6,321,212 to Lange ("Lange"). Applicants respectfully traverse these rejections for at least the following reasons.

Graff teaches a system for dividing property into two components: an estate for years and a remainder interest. Graff discloses two main embodiments for his system. In the first embodiment, the divided property is real estate, and Graff discloses that ownership of each component can be held by a trust. In the second embodiment, the divided property may be individual tax-exempt securities or a pool of such securities (e.g., general obligation bonds, industrial revenue bonds, etc.; col. 4, ll. 2-8). With respect to the second embodiment, Graff suggests that a partnership should hold the tax-exempt securities, rather than a trust (col. 4, ll. 26-30).